

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOSHUA STURMAN,

Plaintiff,

v.

HIPR PACSOFT TECHNOLOGIES, INC.,
HUDSON, *a professional corporation*;
BING-YU HSIEH, and VICTORIA CLAIRE
CHEN,

Defendants.

2:22-CV-00995-CCW-PLD

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Patricia Dodge for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On January 6, 2023, the Magistrate Judge issued a Report, ECF No. 26, recommending that the Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(1), or, Alternatively to Transfer Venue pursuant to 28 U.S.C. § 1404 filed by Defendants HIPR Pacsoft Technologies, Inc. and Hudson, ECF No. 12, be granted in part, such that Plaintiff Joshua Sturman's claim be transferred to the United States District Court for the Eastern District of Michigan, and denied in part without prejudice, such that the issue of subject matter jurisdiction may be raised in the United States District Court for the Eastern District of Michigan. Service of the Report and Recommendation was made on the parties, and no objections have been filed.

After a review of the pleadings and documents in the case, together with the Report and Recommendation, it hereby is **ORDERED** that Defendants' Motion to Dismiss, or, Alternatively

to Transfer Venue, ECF No. 12, is **GRANTED IN PART**, such that the case will be transferred to the United States District Court for the Eastern District of Michigan, and **DENIED IN PART** without prejudice, such that Defendants may raise the issue of subject matter jurisdiction in the new venue, and the Magistrate Judge's Report and Recommendation, ECF No. 26, is adopted as the Opinion of the District Court.

Accordingly, for the reasons set forth in the Report and Recommendation, this matter is **HEREBY TRANSFERRED *forthwith*** pursuant to 28 U.S.C. § 1404 to the United States District Court for the Eastern District of Michigan.

IT IS SO ORDERED.

DATED this 25th day of January, 2023.

BY THE COURT:

/s/ Christy Criswell Wiegand
CHRISTY CRISWELL WIEGAND
United States District Judge

cc (via ECF email notification):

All Counsel of Record